

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

|                                   |   |                              |
|-----------------------------------|---|------------------------------|
| In re Application of              | ) |                              |
|                                   | ) |                              |
| Raju Adhikari                     | ) | Art Unit: 1609               |
|                                   | ) |                              |
| Application No. 10/520,414        | ) | Examiner: Dickinson, Paul W. |
|                                   | ) |                              |
| Filing Date: January 06, 2005     | ) | Confirmation No. 5460        |
|                                   | ) |                              |
| For: BIODEGRADABLE POLYURETHANE / | ) |                              |
| UREA COMPOSITIONS                 | ) |                              |

**RESPONSE TO RESTRICTION REQUIREMENT**

|                           |                          |
|---------------------------|--------------------------|
| Mail Stop Amendment       | NEEDLE & ROSENBERG, P.C. |
| Commissioner for Patents  | Customer Number 23859    |
| P.O. Box 1450             |                          |
| Alexandria, VA 22313-1450 | October 12, 2007         |

Sir:

This paper is in Response to the Restriction Requirement mailed September 12, 2007. In the Restriction Requirement, the Examiner set a one-month period in which to reply, *i.e.*, by October 12, 2007. Accordingly, this paper is timely.

In the Restriction Requirement, the Examiner restricted the application and required an election of one of following four groups.

Group 1: Claims 1-10, drawn to a star, dendrimer or hyper-branched prepolymer composition;

Group 2: Claims 11-22, drawn to a biocompatible, biodegradable polyurethane composition;

Group 3: Claims 23-25, drawn to a process for the preparation of a biocompatible, biodegradable polyurethane composition; and

Group 4: Claims 27-28, drawn to a method of treatment of damaged bone or cartilage.

As required in response to this Action, **Applicant elects Group II, Claims 11-22,**  
without traverse.

The Examiner further stated that in the event Applicant elected Group II (which they have), an election of various species must also be made. Specifically, the Examiner required an election for the isocyanate (First Election), the low molecular weight multifunctional core (Second Election), the soft segment monomer (Fourth Election), and whether or not the biodegradable, biocompatible composition further comprised biological and inorganic components (Fifth Election).

For the First Election, Applicant elects methyl-2,6-diisocyanato hexanoate as the isocyanate. For the Second Election, Applicant elects pentaerythritol as the low molecular weight multifunctional core. For the Fourth Election, Applicant elects caprolactones (“D”) as the soft segment monomers. For the Fifth Election, Applicant elects a biodegradable, biocompatible composition that **does** further comprise biological and inorganic components, as defined in Claim 22. These species elections are made without traverse.

Claims 11, 12, 14, and 19-22 read on the elected Group II and the elected species.

No fees are believed to be due; however, the Commissioner is hereby authorized to charge any deficiency or credit any overpayment in fees to Deposit Account No. 14-0629.

Respectfully submitted,  
NEEDLE & ROSENBERG, P.C.

/Christopher L. Curfman/

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CERTIFICATE OF EFS-WEB TRANSMISSION UNDER 37 C.F.R. § 1.8

I hereby certify that this correspondence – including any items indicated as attached, enclosed, or included – is being transmitted by EFS-WEB on the date indicated below.

/Christopher L. Curfman/

October 12, 2007

\_\_\_\_\_  
Christopher L. Curfman

\_\_\_\_\_  
Date